



सत्यमेव जयते

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Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

## PART IV-A

Rules and Orders (Other than those published in Parts I, I-A, and I-L) made  
by the Government of Gujarat under the Central Acts

### REVENUE DEPARTMENT

#### NOTIFICATION

Sachivalaya, Gandhinagar, 16<sup>th</sup> July, 2024

#### REGISTRATION ACT, 1908.

**No. GM/2024/167/RD/REA/e-file/15/2024/0395(2)/H1(Stamps):-** In exercise of the powers conferred by section-89(D) read with clause (k) of sub-section (1) of section 69 of the Registration Act, 1908 (XVI of 1908) (hereinafter referred to as "the said Act") and in supersession of all the rules made in this behalf, the Government of Gujarat hereby makes the following rules, for the filing of documents and notices referred in sections 89A and 89B of the said Act, namely : –

- (1) These rules may be called the Gujarat Filing of Documents and Notices Rules, 2024.
- (2) They shall come into force on the date of their publication in the *Official Gazette*.

#### 2. Definitions.-

- (1) In these rules, unless the context otherwise requires,-
  - (a) "Act" means the Registration Act 1908 (XVI of 1908);
  - (b) "documents" means the documents specified in section 89A of the Act;

- (c) “e-filing module” means a software module for online filling of notices and documents, under these rules;
  - (d) “Filing of documents” means filing of documents, including online filing through the e-filing module;
  - (e) “filing of notices” means online filing of notices, through the e-filing module;
  - (f) “form” means the form appended to these rules;
  - (g) “notice” means notice of intimation of mortgage by way of deposit of title deed referred to in section 89B of the Act.
- (2) The words and expressions used but not defined herein shall have the same meaning as are respectively assigned to them in the Act and the Information Technology Act, 2000 (21 of 2000).
3. (1) The notices specified in section-89B of the Act shall be filed using e-filing module.
- (2) The documents referred to in section 89A of the Act shall be filed, either physically in the concerned Sub-Registrar office or online using e-filing module.
4. (1) For the purpose of filing of notice, the notices shall be prepared online, in the format given in the **FORM** appended to these rules.
- (2) Every person, executor and claimant shall mandatory prove his identity through the online system.
- (3) If the property so mortgaged falls within the jurisdiction of more than one registering officer, every person shall send separate notice to each registering officer within the local limits of whose jurisdiction the whole or any part of property is situated.
- (4) The person who has filed the notice under section-89B online shall be solely responsible to prove the correctness of the contents of the notice.
- (5) Any stamp duty or registration fee or filing fees, if any shall be paid online only.
5. For the purpose of physical filing, the documents referred to in section-89A of the Act, shall be prepared, signed and sealed by the authorized officer of the Court or the concerned office and for the purpose of online filing, such documents shall be scanned and saved in the pdf format or in the format specified by the State Government by an administrative order, from time to time, and electronically signed by the authorized officer of the Court or the concerned office.
6. While accepting the document or notice for filing the Sub-Registrar shall ascertain that,-
- (a) the document or notice fulfil the conditions specified under the Act, rules and orders framed thereunder;
  - (b) the stamp duty, filing fees, registration fees and other charges are duly paid;
  - (c) the filing of the document or notice are not inconsistent with any provisions of the Act;
  - (d) if on scrutiny of the document or notice, it is found that, there is no prima facie objection for filing, it shall be filed and made available online;
  - (e) if on scrutiny of the document or notice it is found that, there is anything objectionable for filing, the objection shall be conveyed to the parties or such officer, within the next working day after submission. The parties or such officer will have to comply the objection raised. If the compliance is satisfactory, the document or notice shall be filed and made available online.
7. The request for search or copies of e-filing shall be made online. The necessary fees required to pay shall be paid online. The search and copies shall be made available online only.
8. The stamp duty or registration fees or filling fees for e-filing shall be the same as, provided under the Gujarat Stamp Act, 1958 and the Table of Fees specified under section-78 of the Act, respectively.
9. The discrepancies, if any, regarding payment of fees, stamp duty or other charges shall always be subject to recovery by the appropriate authority.
10. After filing of the documents and notices,-
- (a) the Sub-Register shall paste or copy or online file, the document and notices in the part III of Supplements to Register/Book No.1 kept in his office;

(b) the Sub-Registrar shall endorse on each documents and notices so filed, as follows:

"Filed at Filing No.....in the part III of Supplements to Register/Book No.1 on the.....day of.....month of.....year.....(dd/mm/yy).....in the office of the Sub-Registrar.....";

(c) the Sub-Registrar shall put his signature and seal under the endorsement;

(d) in case of e-filing, endorsement, Sub Registrar's signature and seal shall be appended digitally/electronically.

(e) the Sub-Registrar shall prepare index of document and notice, in the same manner as provided in section 55 of the Act and the part XI of the Gujarat Registration Rules, 1970.

### FORM

(See rule 4 (1))

#### **Notice of Intimation under section 89B regarding Mortgage by way of deposit of Title Deed**

I/We, the undersigned parties, am/are by this notice of intimation, giving notice to the public at large that, the mortgagor herein had deposited the title deeds of the property for the security of the loan given/agreed to be given by the mortgagee herein.

(1) Party Details:

(a) Mortgagor(s) Name:

Address:

TAN (For Organizations)/PAN (For Individuals):

Phone/Mobile No.:

Email id:

(b) Mortgagee Name:

Address:

IFS Code No. (For Bank)/CIN No. (NBFC):

Phone/Mobile No.:

Email id:

(2) Property Location (s): Dist.:

Tal:

Village/City:

(3) Property details (with attribute No., Area, Unit):

(4) List of Documents deposited with Banks:

(5) Loan Amount:

(6) Rate of interest:

(7) Date of Mortgage:

(8) Date of Notice:

Name of Mortgagor	Party Photo	<u>e-kyc/identity verify detail</u>	Signature

(In case of company/institute etc. The photo, e-kyc/identity verify detail and Signature of the authorized signatory with name)

The information is verified and found correct:

(Sign and Seal of the authorized person of Mortgagee)

#### Payment Details

Stamp Duty of Rs.....has been paid vide .....Dated:

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Filing fee of Rs.....has been paid vide.....Dated:

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(For Office use only)

Name of Sub Registrar Office	Submission No.	Date of Submission
Filed at filing No..... in the part III of Supplements to Register/Book No.1 on....day of.....month of 20..... (dd/mm/yy)...in the officer of the Sub-Registrar.....		

**Signature and seal of Sub Registrar**

By order and in the name of the Governor of Gujarat,

**PRERAK J. PATEL,**

Deputy Secretary to Government.

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